

REMARKS

Reconsideration of the instant application is respectfully requested. The present amendment is responsive to the Office Action of April 6, 2006, in which claims 1-20 were previously pending. Of those, claims 15-20 have been withdrawn from consideration as being directed to a non-elected invention. Of the remaining pending claims (1-14), claims 1-6 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication 2005/0102720 by Lee. Claims 8 and 11-14 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication 2003/0181056 by Kumar, et al. In addition, claim 7 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Lee, in view of U.S. Patent Application Publication 2005/0191764 by Yates, et al. However, the Examiner has indicated that claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. For the following reasons, it is respectfully submitted that the application is now in condition for allowance.

In the present amendment, claims 1-8 and withdrawn claims 15-10 have been cancelled. Claim 9 has been rewritten into independent form, thus placing claim 9 and remaining claims 10-14 in condition for allowance. Further, the previous objection to claim 8 has been addressed in the amendment to claim 9, while the objection to claim 13 has been addressed by the above amendment, which now specifies the “first cap layer” in claim 13. Applicants reserve the right to file a continuation and/or a divisional application to pursue cancelled subject matter.

For the above stated reasons, it is respectfully submitted that the present application is now in condition for allowance. No new matter has been entered. If any fees are due with respect to this Amendment, please charge them to Deposit Account No. 09-0458 maintained by Applicant's attorneys.

Respectfully submitted,
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